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MEMO ENDORSED

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VIA ECF

Hon. Valerie Caproni
United States District Court for the Southern District of New York
40 Foley Square
New York, New York 10007

Re: *Donoghue, et al. v. National Health Investors, Inc., et al.*
S.D.N.Y. Docket No. 1:20-cv-03697-VC
Joint Request to Adjourn the Initial Conference

Dear Judge Caproni:

This firm represents defendant Eric L. Mendelsohn ("Mr. Mendelsohn") in the above-referenced action.

We, along with counsel for nominal defendant National Health Investors, Inc. ("NHI") and counsel for plaintiffs Deborah Donoghue and Mark Rubenstein (together, "Plaintiffs"), write to jointly request an adjournment of the initial conference that is currently scheduled for September 25, 2020. All parties consent to, and join in, this request and propose November 6, 2020 and November 13, 2020 as alternative dates. This is the parties' third request to adjourn the initial conference – the conference was previously adjourned from June 26, 2020 to July 24, 2020 and then further adjourned to September 25, 2020. The parties make this request in light of Mr. Mendelsohn's and NHI's pending motions to dismiss, which were filed on August 12, 2020 and fully briefed as of September 2, 2020.

Respectfully yours,
/s/ Robin L. Muir
Robin L. Muir

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Application DENIED. The initial pretrial conference will be held as scheduled on **September 25, 2020 at 10:00 a.m.** The parties must appear for the conference by dialing 888-363-4749, using the access code 3121171 and the security code 3697. The parties' joint letter and proposed case management plan are due by close of business on **September 18, 2020.**

cc: All counsel of record
via ECF

SO ORDERED.

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE

9/17/2020